

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Richard W. Wien, et al

USE OF DERIVATIZED  
NANOPARTICLES TO MINIMIZE  
GROWTH OF MICRO-  
ORGANISMS IN HOT FILLED  
DRINKS

Serial No. to be assigned

Filed herewith

Group Art Unit:

Examiner:

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Date

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT FOR CONSIDERATION**  
**BY THE OFFICE UNDER 37 C.F.R. 1.97-1.99**

Enclosed herewith are patents and/or publications for consideration by the Patent and Trademark Office in regard to the invention claimed in the above-described application. In compliance with §1.56, such documents are listed in the enclosed Form PTO-1449.

Applicants request that the Patent and Trademark Office make of record the above-identified documents. A full text copy of each document is attached, except for copies of U.S. patents and U.S. patent application publications. For documents not in English, an English translation or an equivalent English language patent or publication may be attached. Where a translation is not available, a concise explanation of the relevance of each document not in English is included either here or in the specification.

This Information Disclosure Statement (hereinafter "Statement") is submitted according to the following selected paragraph:

- I.  This Statement is being filed under §1.97(b) within three months of the filing date of the application (other than a CPA), or before the mailing of a first Office action on the merits or before the mailing of a first Office action after the filing of a request for continued examination.
- II.  This Statement is being filed under §1.97(c), with fee, prior to the mailing date of any of a final action, a notice of allowance or an action that otherwise closes prosecution in the application. Please charge the fee required by §1.17(p) to Eastman Kodak Company Deposit Order Account Number 05-0225. A duplicate copy of this Certification is enclosed.

III.  This Statement is being filed under §1.97(c), with a certification under, §1.97(e) **prior** to the mailing date of any of a final action, a notice of allowance or an action that otherwise closes prosecution in the application. The undersigned hereby states that (check one):

- each item of information contained in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- no item of information in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification under §1.97(e) after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this Statement.

IV.  This Statement is being filed under §1.97(d), with fee and certification under §1.97(e), on or after the mailing date of either a final action, a notice of allowance (but prior to payment of the issue fee) or an action that otherwise closes prosecution in the application. Please charge the fee required by §1.17(p) to Eastman Kodak Company Deposit Order Account No. 05-0225. A duplicate copy of this Certification is enclosed. The undersigned hereby states that (check one):

- each item of information in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- no item of information in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification under §1.97(e) after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



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Frank Pincelli/phw  
Telephone: 585-588-2728  
Facsimile: 585-477-4646  
Enclosures

Attorney for Applicants  
Registration No. 27,370

FORM PTO-1449 US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		Atty. Docket No. <b>87471F-P</b> Customer No. 01333	Serial No. <b>to be assigned</b>			
If AFTER the later date of the first Office Action or 3 months from filing, use only with Rule 97(E) Certificate or Fee		Applicant: <b>Richard W. Wien, et al</b>				
LIST OF ART CITED BY APPLICANT (Use several sheets if necessary)		Filing Date <b>herewith</b>	Group			
U.S. PATENT DOCUMENTS						
Examiner Initial*	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS						
Examiner Initial*	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES   NO

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
"Inorganic Chemistry in Biology and Medicine", by Raymond et al., Chapter 18, ACS Symposium Series, Washington, DC (1980)						
"Inorganic Chemistry in Biology and Medicine", by Raymond et al., Chapter 17, ACS Symposium Series, Washington, DC (1980)						
"Critical Stability Constants" by A. E. Martell and R. M. Smith, Vols. 1-4, Plenum Press, NY (1977)						
R. D. Hancock and A. E. Martell, Chem. Rev. vol. 89, p. 1875-1914 (1989)						
"Stability Constants of Metal-ion Complexes", The Chemical Society, London 1964						
"Polymer Permeability", by J. Comyn, Elsevier, NY 1985						
"Permeability and Other Film Properties of Plastics and Elastomers" Plastics Design Library, NY 1995						

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	